



# STATE OF WISCONSIN

# Senate Journal

## One-Hundredth Regular Session

1:33 P.M.

TUESDAY, March 8, 2011

The Senate met.

The Senate was called to order by President Ellis.

President Ellis, with unanimous consent, asked that the roll call, prayer, and pledge of the January 2011 Special Session be applied to the Regular Session.

### CALL OF ROLL

The roll was called, disclosing the presence of a quorum.

Pursuant to Senate Rule 15, the official attendance for session was:

Senators Cowles, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Hopper, Kapanke, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 19.

Absent – Senators Carpenter, S. Coggs, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, C. Larson, Lassa, Miller, Risser, Taylor, Vinehout and Wirch – 14.

### REPORT OF COMMITTEES

The committee on **Transportation and Elections** reports and recommends:

GOTTLIEB, MARK, of Port Washington, as Secretary of the Department of Transportation, to serve for the term ending at the pleasure of the Governor.

Confirmation.

Ayes, 3 – Senators Lazich, Leibham and Lasee.

Noes, 0 – None.

*MARY LAZICH*  
Chairperson

The committee on **Workforce Development, Small Business, and Tourism** reports and recommends:

#### Senate Bill 12

Relating to: allowing retailers the ability to offer discounts equal to the state and local sales taxes.

Passage.

Ayes, 3 – Senators Moulton, Kapanke and Cowles.

Noes, 0 – None.

*TERRY MOULTON*  
Chairperson

The committee on **Senate Organization** reports:

Referred to, and withdrawn from, the joint committee on **Finance**, pursuant to Senate Rule 41 (1)(e):

#### Senate Bill 12

Placed the following proposal on the Senate Calendar of Wednesday, March 9, 2011:

#### Senate Bill 12

Ayes: 3 – Senators Fitzgerald, Ellis and Grothman.

Noes: 0 – None.

*SCOTT FITZGERALD*  
Chairperson

### REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

The committee on **Natural Resources and Environment** reports and recommends:

#### Senate Clearinghouse Rule 10–114

Relating to adding cave bats to Wisconsin's threatened species list.

No action taken.

#### Senate Clearinghouse Rule 10–115

Relating to the identification, classification, and control of invasive species.

No action taken.

#### Senate Clearinghouse Rule 10–118

Relating to the Ice Age and North Country Trails.

No action taken.

#### Senate Clearinghouse Rule 10–123

Relating to the identification, classification, and control of invasive species.

No action taken.

*NEAL KEDZIE*  
Chairperson

### MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has concurred in:

**Senate Joint Resolution 3**

**Senate Joint Resolution 7**

**Senate Joint Resolution 13**

## ADVICE AND CONSENT OF THE SENATE

Senator S. Fitzgerald, with unanimous consent, asked that the appointment of Mark Gottlieb be withdrawn from the committee on **Senate Organization** and taken up at this time.

**GOTTLIEB, MARK**, of Port Washington, as Secretary of the Department of Transportation, to serve for the term ending at the pleasure of the Governor.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 19; noes, 0; absent or not voting, 14; as follows:

Ayes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Galloway, Grothman, Harsdorf, Hopper, Kapanke, Kedzie, Lasee, Lazich, Leibham, Moulton, Olsen, Schultz, Vukmir, Wanggaard and Zipperer – 19.

Noes – None.

Absent or not voting – Senators Carpenter, S. Coggs, T. Cullen, Erpenbach, Hansen, Holperin, Jauch, C. Larson, Lassa, Miller, Risser, Taylor, Vinehout and Wirch – 14.

Confirmed.

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## CONSIDERATION OF MOTIONS, RESOLUTIONS, AND JOINT RESOLUTIONS NOT REQUIRING A THIRD READING

Senator S. Fitzgerald, with unanimous consent, asked that **Senate Resolution 4** through **Senate Resolution 17** be referred to the committee on **Senate Organization**.

### Senate Resolution 4

Relating to: imposing penalties and costs on Senator Tim Carpenter for being absent without leave.

### Senate Resolution 5

Relating to: imposing penalties and costs on Senator Spencer Coggs for being absent without leave.

### Senate Resolution 6

Relating to: imposing penalties and costs on Senator Tim Cullen for being absent without leave.

### Senate Resolution 7

Relating to: imposing penalties and costs on Senator Jon Erpenbach for being absent without leave.

### Senate Resolution 8

Relating to: imposing penalties and costs on Senator Dave Hansen for being absent without leave.

### Senate Resolution 9

Relating to: imposing penalties and costs on Senator Jim Holperin for being absent without leave.

### Senate Resolution 10

Relating to: imposing penalties and costs on Senator Robert Jauch for being absent without leave.

### Senate Resolution 11

Relating to: imposing penalties and costs on Senator Julie Lassa for being absent without leave.

### Senate Resolution 12

Relating to: imposing penalties and costs on Senator Chris Larson for being absent without leave.

### Senate Resolution 13

Relating to: imposing penalties and costs on Senator Mark Miller for being absent without leave.

### Senate Resolution 14

Relating to: imposing penalties and costs on Senator Fred Risser for being absent without leave.

### Senate Resolution 15

Relating to: imposing penalties and costs on Senator Lena Taylor for being absent without leave.

### Senate Resolution 16

Relating to: imposing penalties and costs on Senator Kathleen Vinehout for being absent without leave.

### Senate Resolution 17

Relating to: imposing penalties and costs on Senator Robert Wirch for being absent without leave.

Referred.

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## ADJOURNMENT

Senator S. Fitzgerald, with unanimous consent, asked that the Senate stand adjourned until Wednesday, March 8, 2011 at 11:00 A.M.

Adjourned.

1:36 P.M.